

United States Court of Appeals
For the Eighth Circuit

No. 14-2885

Terrance Alfonzo Dudley,

Plaintiff - Appellant,

v.

Eddie Miles; Tom Roy; Paige Lemay; Joseph Langevin; Adam Lynch; Officer
Rosemary Andrews; John Ratcliffe; John Wing; Craig S. Oseland; Rick Raven;
Lcie Stevenson; Jo Earhart; Shannon Reimann; Matthew Peterson; Dan
Grzywinski; Michelle Hallman; Mr. Gulette; Frank Barr, in their individual and
official capacities,

Defendants - Appellees.

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: February 23, 2015

Filed: March 17, 2015

[Unpublished]

Before LOKEN, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Terrance Dudley appeals the district court's¹ dismissal of his pro se 42 U.S.C. § 1983 complaint for failure to comply with a court order, pursuant to Federal Rule of Civil Procedure 41(b). We grant Dudley leave to appeal in forma pauperis, leaving fee collection to the district court. *See Henderson v. Norris*, 129 F.3d 481, 484-85 (8th Cir. 1997) (per curiam). We conclude that the district court did not abuse its discretion. *See Smith v. Gold Dust Casino*, 526 F.3d 402, 404-05 (8th Cir. 2008). Despite warnings that dismissal could result from his failure to do so, Dudley did not follow the magistrate judge's order to file an amended complaint. *See In re Reid*, 197 F.3d 318, 320 (8th Cir. 1999). We note the dismissal was without prejudice, which leaves Dudley free to refile his claims. Accordingly, we affirm. *See* 8th Cir. R. 47A(a).

¹The Honorable David S. Doty, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Jeanne J. Graham, United States Magistrate Judge for the District of Minnesota.